

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:04-CR-92-BO

UNITED STATES OF AMERICA,)
)
 v.)
)
 DERRICK MAURICE TAYLOR.)


ORDER

This matter is before the Court on the defendant's motion for release on house arrest [DE 50]. For the reasons stated herein, the defendant's motion is DENIED.

On August 29, 2012, this Court granted the defendant's motion pursuant to 28 U.S. § 2255 and resentenced the defendant to time served. However, the defendant remains in the custody of the Bureau of Prisons because he pleaded guilty to a charge of aiding and abetting in the assault of another inmate with a dangerous weapon and was sentenced to twenty-four months of imprisonment by the United States District Court for the Northern District of West Virginia. *See* 1:09-CR-48-IMK (N.D.W.V.). The defendant is neither housed in this district, nor is the defendant currently serving a sentence imposed by this Court. As such, this Court has no authority to modify the defendant's sentence or release him from the BOP's custody. Therefore, the defendant's motion is DENIED.

SO ORDERED.

This the 16 day of April, 2013.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE